

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF
PATENT APPEALS AND INTERFERENCES

Application of

Applicants : Catherine M. Verfaillie and Yuehua Jiang
Application No. : 10/561,826
Filed : October 17, 2006
Title : Neuronal Differentiation of Stem Cells
Examiner : Chang Yu Wang
Attorney Docket No. : 890003-2006.1
Art Unit : 1649

MAIL STOP APPEAL BRIEF- PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPELLANTS' SUPPLEMENTAL REPLY TO EXAMINER'S ANSWER

Sir:

Appellants file this Supplemental Reply Brief in response to the Examiner's statement about Appellants' Reply Brief in a U.S. Patent and Trademark Office Communication dated October 31, 2011. The Examiner stated the following:

The reply brief filed October 17, 2011 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal. Appellants' arguments were previously presented in the Brief and have been answered in the examiner answer mailed 8/18/11. Appellant's reply brief substantially repeats what was previously presented in the Brief and all arguments have been addressed in the Examiner's Answer.

This, however, is technically incorrect. Appellants' Reply Brief did not substantially repeat what was previously presented in Appellants' Appeal Brief. In the Reply Brief, Appellants newly addressed the Examiner's presentation of two new points of argument, in the Examiner's Answer, with which

Appellants did not agree. So, in Appellants' Reply Brief, they addressed the Examiner's new points of argument.

Appellants will not repeat their statements made in reply to the new points of argument in the Examiner's Answer. Appellants respectfully direct the Board of Patent Appeals and Interferences to these statements in their Reply Brief dated October 17, 2011.

Appellants do not believe that any fees are due with this filing. In the event that fees are incurred, however, the Commissioner is hereby authorized to charge any additional fees required to our Deposit Account 20-0090. Appellants hereby authorize the Commissioner under 37 C.F.R. §1.136(a)(3) to treat any paper that is filed in this application which requires an extension of time as incorporating a request for such an extension.

Respectfully submitted,

Anne Brown
Anne Brown
Reg. No. 36,463

Date: 11/10/11
TAROLLI, SUNDHEIM, COVELL & TUMMINO, LLP
1300 East Ninth Street
Suite 1700
Cleveland, OH 44114
216-621-2234

390400-1